

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

STARBUCKS CORPORATION

and

**Cases 13-CA-296221
13-CA-296225**

**WORKERS UNITED AFFILIATED
WITH THE SERVICE EMPLOYEES
INTERNATIONAL UNION (SEIU)**

**ORDER CONSOLIDATING CASES, CONSOLIDATED
COMPLAINT AND NOTICE OF HEARING**

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board) and to avoid unnecessary costs or delay, IT IS ORDERED THAT Case 13-CA-296221 and Case 13-CA-296225, which are based on charges filed by Workers United affiliated with Service Employees International Union (Charging Party), against Starbucks Corporation (Respondent) are consolidated.

This Order Consolidating Cases, Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq. (the Act) and Section 102.15 of the Board's Rules and Regulations, and alleges Respondent has violated the Act as described below:

I

(a) The charge in case 13-CA-296221 was filed by the Charging Party on May 20, 2022, and a copy was served on Respondent by U.S. mail on May 23, 2022.

(b) The first amended charge in case 13-CA-296221 was filed by the Charging Party on July 20, 2022, and a copy was served on Respondent by U.S. mail on July 22, 2022.

(c) The charge in case 13-CA-296225 was filed by the Charging Party on May 20, 2022, and a copy was served on Respondent by U.S. mail on May 23, 2022.

(d) The first amended charge in case 13-CA-296225 was filed by the Charging Party on July 20, 2022, and a copy was served on Respondent by U.S. mail on July 22, 2022.

II

(a) At all material times, Respondent has been a Washington corporation with headquarters in Seattle, Washington, and facilities located throughout the United States, including facilities located at 2543 N. California Ave., Chicago, IL (Respondent's 2543 N. California facility) and 1070 W. Bryn Mawr Ave., Chicago, IL (Respondent's 1070 W. Bryn Mawr facility), and has been engaged in retail sale of food and beverages.

(b) During the preceding twelve months, a representative period, Respondent, in conducting its business operations as described above in paragraph II (a), derived gross revenues in excess of \$500,000 and purchased and received goods valued in excess of \$5,000 directly from points outside the State of Illinois.

(c) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act.

III

At all material times, the Charging Party has been a labor organization within the meaning of Section 2(5) of the Act.

IV

At all material times, the following individuals held the position set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the act and agents of Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
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V

(a) About February 2022, Respondent, by (b) (6), (b) (7)(C), at Respondent's 2543 N. California facility, interfered with employees Section 7 rights by informing employees that they are not allowed to wear items including but not limited to facial masks in support of the Union.

(b) About April 26, 2022, Respondent, by (b) (6), (b) (7)(C), at Respondent's 2543 N. California facility, interfered with employees Section 7 rights by informing employees that they are not allowed to wear items including but not limited to t-shirts in support of the Union.

(c) About May 10, 2022, Respondent, by (b) (6), (b) (7)(C) at Respondent's 1070 W. Bryn Mawr facility:

- (i) Threatened employees with loss of benefits for engaging in union and/or protected concerted activities;
- (ii) Threatened employees with loss of a wage increase for engaging in union and/or protected concerted activities;
- (iii) Interrogated employees about their union membership, activities, and sympathies;
- (iv) Informed employees that it would be futile for them to select the Charging Party as their bargaining representative.

VI

By the conduct described above in paragraph V, Respondent has been interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

REMEDY

WHEREFORE, as part of the remedy for the unfair labor practices alleged above in paragraph V, the General Counsel seeks an Order requiring Respondent to hold a meeting or meetings with Respondent's employees, scheduled to ensure the widest possible attendance on each shift, at which a responsible management official of the Respondent will read the Notice in English to employees on work time in the presence of a Board Agent and one representative from the Charging Party Union. The General Counsel further seeks all relief as may be just and proper to remedy the unfair labor practices alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the consolidated complaint. The answer must be **received by this office on or before August 30, 2022 , unless that date is a holiday], or postmarked on or before August 29, 2022.** Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that

the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on November 15, 2022, 10:00 a.m. at The Dirksen Federal Building, 219 South Dearborn Street, Suite 808, Chicago, IL 60604 or via Zoom Video Conference, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Chicago, Illinois this 16th day of August 2022.

/s/ Angie Cowan Hamada

Angie Cowan Hamada
Regional Director
National Labor Relations Board
Region 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Attachments

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

STARBUCKS CORPORATION

and

Case 19-CA-295396

WORKERS UNITED

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by Workers United (the “Union”). It is issued pursuant to § 10(b) of the National Labor Relations Act (the “Act”), 29 U.S.C. § 151 *et seq.*, and § 102.15 of the Rules and Regulations of the National Labor Relations Board (the “Board”), and alleges that Starbucks Corporation (“Respondent”) has violated the Act as described below.

1.

The charge in this proceeding was filed by the Union on May 6, 2022, and a copy was served on Respondent by U.S. mail on May 9, 2022.

2.

(a) At all material times, Respondent has been a corporation with an office and place of business located at 2401 Utah Ave S. in Seattle, Washington, and various locations throughout the United States including those listed below in and around Washington and Oregon (the “facilities”), and has been engaged in operating public restaurants selling food and beverages:

814 Iowa, Bellingham, WA 98225
1115 Valley River Dr., Eugene, Oregon 97401
3625 Broadway, Everett, WA 98201

555 SW Oak Street, Portland, OR 97204
2880 SE Powell Boulevard, Portland, OR 97202
425 Pike Street, Seattle, WA 98101
1600 E. Olive Way, Seattle, WA 98102
2344 Eastlake Ave. E., Seattle, WA 98102
505 5th S., Seattle, WA 98104
1200 Westlake Ave N., Seattle, WA 98109

(b) In conducting its business operations described above in paragraph 2(a) during the past 12 months, which period is representative of all material times, Respondent derived gross revenues in excess of \$500,000.

(c) In conducting its business operations at the facilities during the past 12 months, which period is representative of all material times, Respondent purchased and received goods at the facilities valued in excess of \$50,000 directly from points located outside the States of Washington and Oregon.

(d) At all material times, Respondent has been an employer engaged in commerce within the meaning of §§ 2(2), (6), and (7) of the Act.

3.

At all material times, the Union has been a labor organization within the meaning of § 2(5) of the Act.

4.

At all material times, the following individuals held positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of § 2(11) of the Act and/or agents of Respondent within the meaning of § 2(13) of the Act, acting on Respondent's behalf:

(b) (6), (b) (7)(C) – (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) – (b) (6), (b) (7)(C)
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5.

(a) At various times during the past six months better known to Respondent, Respondent, by its (b) (6), (b) (7)(C) at the facilities, issued “Hi Partner” letters to its employees threatening them by stating:

- i. To maintain a direct relationship with Respondent, employees must vote against unionizing;
- ii. Negotiations can often take more than a year – if a contract is reached at all;
- iii. If a union is certified, benefits and wages will essentially be frozen while the parties negotiate the contract.

(b) Respondent engaged in the conduct described above in paragraphs 5(a) because employees engaged in union and/or protected concerted activities and/or to discourage employees from engaging in these and/or other union or protected concerted activities.

6.

By the conduct described above in paragraph 5, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in § 7 of the Act in violation of § 8(a)(1) of the Act.

7.

The unfair labor practices of Respondent described above affect commerce within the meaning of §§ 2(6) and (7) of the Act.

WHEREFORE, as part of the remedy for the unfair labor practice allegations alleged above, the General Counsel seeks an Order requiring that Respondent electronically distribute the Notice to Employees to all employees at the facilities who are or have been employed by Respondent since April 1, 2022, by text messaging, e-mail, posting on social media websites, and posting on internal applications, if Respondent communicates with its employees by such means; and

WHEREFORE, as part of the remedy for the unfair labor practice allegations alleged above, the General Counsel seeks an Order requiring that Respondent conduct a training session for its managers and supervisors on their obligations under the National Labor Relations Act. The General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to §§ 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the Complaint. The answer must be **received by this office on or before August 30, 2022.** Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's

website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See § 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the regional office. However, if the answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the regional office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the Complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT beginning at 9:00 a.m. (local time) on **the 8th day of November, 2022**, and on consecutive days thereafter until concluded, in a location to be determined in Seattle, Washington, or via the Zoom Videoconference platform, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have

the right to appear and present testimony regarding the allegations in this Complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Seattle, Washington, this 16th day of August, 2022.

A handwritten signature in black ink, reading "Ronald K. Hooks", is written over a horizontal line.

Ronald K. Hooks, Regional Director
National Labor Relations Board, Region 19
915 2nd Ave., Ste. 2948
Seattle, WA 98174

Attachments